

## REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1, 3, 5-11, 13, 16, 18, and 29 are pending in this application, with Claims 1, 18, and 29 being independent. Claims 2 and 4 have been canceled without prejudice.

Claims 1, 18, and 29 have been amended. Applicant submits that support for the amendments can be found in the original disclosure, and therefore no new matter has been added.

Claims 1-11, 13, 16, 18 and 29 stand rejected under 35.U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,846,134 (Latypov) in view of U.S. Patent No. 5,913,727 (Ahdoot) and further in view of U.S. Patent No. 5,488,362 (Ullman, et al.). Applicant respectfully traverses this rejection for the reasons discussed below.

As recited in Claim 1, the present invention includes, *inter alia*, the features of a first sensor attached to a user's head, which detects a position and a posture of the user's head, and a generation unit that generates action information on the basis of the position and posture of the user's head and a transition of an estimated relative position of a second portion of the user's body with respect to the user's head.

Due to the above-mentioned features, the present invention recited in Claim 1 can distinguish between the meaning of different actions by taking into account both the position and posture of the user's head and the relative movement between a user's head and another body part. For example, as described in the specification at least at page 14, lines 3-20:

for a forward stretching action of the arm, a forward stretching action of the arm with the head facing forward has a meaning different from that with the head facing another direction . . . Hence, if no posture is taken into consideration, a forward stretching action of the arm with the head facing another direction is highly likely to be recognized as attack

Applicant submits that the cited art fails to disclose or suggest at least the above-mentioned features of Claim 1, wherein a position and posture of a user's head is detected and is taken into consideration when generating action information.

Latypov discloses detection of only the positions of the foot and hand of the user 3 by sensors 10, 13, and the receiver 11. Moreover, the sensors in that patent do not detect the posture of the body portions to which they are attached. Further, Latypov discloses determination of the magnitude and direction of movement of a user 3 relative to a shell. Col. 5, lines 28-34. That patent does not disclose or suggest detecting a relative location of one of sensors 10 or 13 with respect to the other, and specifically does not disclose or suggest estimating a relative position of a second body portion with respect to a user's head.

Ahdoot discloses detecting the positions of sensors 30 based on the light emitting position of a display and a sensor that detects the light. Col., 5, lines 62-67. The sensors 30 are fixed and limited within a display means 20. Accordingly, that patent also does not disclose or suggest at least the features of detecting a position and posture of a user's head and generating action information on the basis of the position and posture of the head and a transition of the estimated relative position between the user's head and another body part.

Similarly, Ullman et al. also fails to disclose or suggest at least the above-mentioned features, and fails to provide any teaching or suggestion that would remedy the above-mentioned deficiencies of the other cited art. That patent discloses a glove with four pairs of conductive contacts to produce control signals compatible with joystick controlled video games. The contacts are provided on the glove so as to detect when the hand is in a specific pose. In other words, a pair of contacts on the glove corresponds to a specific, discrete gesture or pose of the hand. However, those contacts do not detect a position and a posture of a hand, but instead can merely detect a few specific poses of the hand. Moreover, that patent does not disclose or suggest at least the features of detecting a position and a posture of a user's head and generating action information on the basis of the position and posture of the head and a transition of an estimated relative position between the user's head and another body part.

For the foregoing reasons, Applicant submits that the present invention recited in Claim 1 is patentable over the cited art, whether that art is considered individually or taken in combination.

Independent Claims 18 and 29 recite features similar to those of Claim 1 and are believed patentable for similar reasons. The dependent claims are patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

For the foregoing reasons, Applicant submits that this application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-mentioned Office Action, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, DC office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', written over a horizontal line.

Attorney for Applicant

Brian L. Klock

Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
BLK/lmj

DC\_MAIN 138683v1